

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA RECOMMENDING THAT THE CITY COUNCIL ALLOW TITLE 9, CHAPTER 5 – GROWTH MANAGEMENT ORDINANCE OF THE PACIFICA MUNICIPAL CODE TO EXPIRE ON JUNE 30, 2017, AS SCHEDULED (TEXT AMENDMENT TA-107-17).

WHEREAS, in January 1982, the voters of the City of Pacifica adopted Ordinance No. 322-C.S., an initiative ordinance which provided for controlled residential growth through 1992; and

WHEREAS, in 1993, the voters of the City of Pacifica updated multiple sections of the ordinance, including extending the expiration date for the ordinance to June 30, 1997; and

WHEREAS, the City Council has extended the Growth Management Ordinance (GMO) several times since then. Most recently, the City Council enacted Ordinance No. 789-C.S. extending the GMO until June 30, 2017; and

WHEREAS, The GMO establishes a process for issuing a residential development allocation (RDA) prior to issuance of a building permit for construction of new dwelling units, with certain exceptions, and as of May 1, 2017, the current balance of RDAs was 1,483; and

WHEREAS, the Planning Commission finds and declares that expiration of the GMO is statutorily exempt from the California Environmental Quality Act (CEQA), based on the finding the expiration of an existing ordinance is not a project within the meaning of Public Resource Code Section 21065 as there is no new activity that was not already considered in the adoption of Ordinance 789-C.S.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Pacifica hereby finds the GMO to be consistent with the General Plan, including the Housing Element, and other laws.

BE IT FURHTER RESOLVED, that the Planning Commission of the City of Pacifica does hereby make the following findings regarding the GMO:

1. Due to the high number of RDAs available (1,483), the GMO is no longer meeting the intent that the voters of Pacifica approved in 1993;
2. The process to obtain discretionary approvals (e.g., Site Development Permit) provides a more effective means to address the intent of the GMO; and
3. The process to comply with the GMO requires additional city staff time and resources.

4. There is no evidence to support the extension of the GMO

NOW, THEREFORE BE IT FURTHER RESOLVED, the Planning Commission of the City of Pacifica does hereby recommend that the City Council allow Title 9, Chapter 5 – Growth Management Ordinance of the Pacifica Municipal Code to expire on June 30, 2017, as stated in PMC Section due to the ineffectiveness and inefficiency of the ordinance.

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PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 15th day of May 2017.

AYES, Commissioners:
NOES, Commissioners:
ABSENT, Commissioners:
ABSTAIN, Commissioners:

John Nibbelin, Chair

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney